

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Movant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,  
Plaintiff,

v.

SOUTH FERRY BUILDING COMPANY, a New  
York limited partnership, EMANUEL  
GETTINGER, ABRAHAM WOLFSON, and ZEV  
WOLFSON,

Defendants.

Adv. Pro. No. 10-04488 (SMB)

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,

Plaintiff,

v.

SOUTH FERRY #2, EMANUEL GETTINGER,  
AARON WOLFSON, and ABRAHAM  
WOLFSON,

Defendants.

Adv. Pro. No. 10-04350 (SMB)

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and Bernard L. Madoff,  
Plaintiff,

v.

UNITED CONGREGATIONS MESORA ,  
  
Defendant.

Adv. Pro. No. 10-05110 (SMB)

**[PROPOSED] ORDER GRANTING TRUSTEE’S MOTION  
FOR SUMMARY JUDGMENT**

Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (the “Trustee”), by and through his undersigned counsel, having moved for summary judgment (the “Motion”) in the above-captioned adversary proceedings pursuant to Rule 56 of the Federal Rules of Civil Procedure, as incorporated by Rule 7056 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Southern District of New York Local Bankruptcy Rule 7056-1, on the ground that there are no material facts in dispute and the Trustee is entitled to judgment as a matter of law, and upon consideration of the Motion and supporting memoranda, declaration, exhibits, responses, and upon consideration of the Defendants’ motion for summary judgment and supporting papers.

It is hereby **ORDERED** that:

1. The Trustee’s Motion is **GRANTED**;
2. The Defendants’ motion for summary judgment is **DENIED**;
3. The Trustee shall have judgment in the amount of \$6,620,000 against the defendants in *Picard v. South Ferry Bldg. Co.*, Adv. Pro. No. 10-04488 (SMB); \$21,955,000 against the defendants in *Picard v. South Ferry #2, et al.*, Adv. Pro. No. 10-04350 (SMB); and

\$3,200,000 against the defendants in *Picard v. United Congregations Mesora*, Adv. Pro. No. 10-05110 (SMB).

4. The Trustee is granted prejudgment interest, the calculation of which will be determined through a separately scheduled hearing.

Dated: \_\_\_\_\_, 2017  
New York, New York

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HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE